

The Morality of Abortion

J.J. Thomson

“A Defense of Abortion”

Prelims

The debate is characterized as a tension between conflicting rights:

- The fetus' right to life
Vs.
- The mother's right to self-control
(sometimes the mother's right to life)

Prelims

What is a 'right'?

- A permission (liberty)

Or,

- A claim *against* someone

Rights entail duties

3 reasons to want an abortion

- Mother is at risk of dying
- Rape
- Unwanted pregnancy

Anti-Abortion Argument

- 1.) All persons have a right to life
- 2.) The fetus is a person from conception.
- 3.) **So**, the fetus has a right to life.
- 4.) The right to life always takes precedence over all other rights
- 5.) **So**, when the right to life of the fetus comes into conflict with the mother's right to 'self-control', the right of the fetus should take precedence over the right of the mother

Thomson's response

NOTE WELL: Thomson assumes the truth of (2).

She denies the truth of (4) and hence (5).

Thomson's response

- For Thomson, in cases of rape and in some cases of unwanted pregnancy, the right of the mother **does trump** the right of the fetus.

But why?

Thomson's response/rape case

The fetus does not have a right to the mother's womb, thus it's not unjust to remove it from the womb, although it may be very kind to leave it.

--the Forrest Gump example

Thomson's response/rape case

Why the fetus has no right to the womb:

- Mother has done nothing that would confer that right to the fetus.
- Mother has not assumed any responsibility for the fetus

Thomson's response/rape case

- C.f. the 'Violinist Case':

Just like the violinist does not have a right to your kidneys, so the fetus has no right to the womb.

Thomson's response/people seed

- What about pregnancy through voluntary intercourse? Is this act sufficient to make it so the fetus has a right to the mother's womb?

Thomson's response/people seed

For Thomson, the answer is NO.

- Voluntary intercourse does make mother partially responsible for baby, but it doesn't follow that baby has a right to the womb.

Thomson's response/people seed

- C.f. "People Seed Case"

Just like the 'people seed' doesn't have a right to your couch, so the fetus does not have the right to the womb.

Thomson's response/people seed

- Again, it would be nice/kind of the mother to not abort, but she is not morally required to carry the fetus to term.

Final notes:

Note: Thomson doesn't give a specific account of what it would be for the mother to confer 'womb rights' to the fetus.

Her point: in some cases it's clear that the mother does not confer such a right.

Final notes:

For Thomson,

- Sometimes it's positively wrong (unjust) to abort.
- Sometimes it's only selfish, callous, and "indecent" to do so.